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No. 262] NEW DELHI, WEDNESDAY, MAY 22, 1957/JYAISTA I, 1879

ELECTION COMMISSION, INDIA

NOTIFICATION

New Delhi, the 22nd May, 1957

S.R.O. 1727.—In pursuance of the provisions of sub-section (1) of section 86 of the Representation of the People Act, 1951, the Election Commission hereby publishes a copy of the Election Petition No. 132 of 1957, presented to the Commission on the 20th April, 1957 under section 81 of the said Act, by Shri Rattan Singh s/o Shri Kanshia Ram r/o village Kungar, Tehsil, Hansi, District Hissar, calling in question the election to the House of the People from the Mohindergarh constituency of that House of Shri Ram Krishan Gupta r/o village Dadri, District Mohindergarh.

ELECTION PETITION NO. 132 OF 1957

Presented to me by Shri Rattan Singh whose signature has been obtained in the margin and attested as having been signed before me this the twentieth day of April, One Thousand Nine Hundred and Fifty Seven.

Sd./DIN DAYAL

20-4-57

Sd./ RATTAN SINGH

Attested.

Sd./—DIN DAYAL.

20-4-57.

BEFORE THE ELECTION COMMISSION OF INDIA, NEW DELHI.

Rattan Singh S/o Sh. Kanshia Ram r/o Village Kungar, Tehsil Hansi.
District Hissar—Petitioner.

Vs.

Shri Ram Krishan Gupta r/o Village Dadri, District Mohindergarh,—
Respondent.

Petition for declaring the Respondent's election to Parliament from Mohindergarh Parliamentary Constituency No. 269 (Punjab) void and declaring the petitioner as Elected to the above seat of the Parliament.

Grounds of Election Petition:

1. (a) That the petitioner and the respondent were candidates for the Mohindergarh Parliamentary Constituency No. 269 (Punjab) in General Elections held in 1957 whereas the respondent was declared elected to the above seat.

(b) That on 19th February 1957 Shri Ram Krishan respondent committed corrupt practice in as much as he paid a sum of Rs. 300/- by two cheques of Rs. 150/- each to Shri Chhelu Ram S/o Shri Rura Ram of Mohindergarh, as a gratification with the object of directly inducing him and his friends and relatives to vote for him.

2. That on various dates between 19th January 1957 to 3rd March 1957, the Respondent paid to different persons in different villages of the Constituency various amounts by cheques on different banks as gratification with the object of inducing directly and indirectly the recipients of the cash to vote for him.

3. That on 27th February 1957 the respondent paid a sum of Rs. 200/- in cash to Sh. Bhagat Ram Sarpanch and members of village Bamla Panchayat Tehsil Bhiwani, as gratification with the object of inducing the Sarpanch and members of the said Panchayat to vote for him and cause other residents of the said village to vote for him.

4. That during the Election Campaign the returned candidate held out a promise to the residents of village Ghuskani Tehsil Bhiwani to the effect that he will get them a bridge constructed over the canal passing through their fields in case they voted for him and in fact the said promise caused all unlawful inducement to the said villagers for voting the returned candidate.

5. That on 25th February 1957, the Respondent, returned candidate entered into an agreement with lambardar of village Mahenda, Tehsil Hansi to the effect that voters of the said village shall refrain from voting for the petitioner in consideration of a sum of Rs. 500/- paid by the Respondent returned candidate to the said lambardar, as a consequence whereof the residents of the said village actually refrained from voting for the petitioner.

6. That the Respondent returned candidate appealed to Shri Manohar Lal a rival candidate in the name of common caste with the object of getting him retired from the contest, and paid him his entire expenses of the contest and Shri Manohar Lal retired from the contest. If Shri Manohar Lal had not retired as aforesaid the Respondent returned candidate must have failed and the petitioner would have definitely returned.

7. That a large number of ballot Boxes were not maintained according to the rules in as much as the spring of the ballot Boxes were removed by some of the Presiding Officers of Hansi Double Member Constituency as admitted by the Chief Electoral Officer Punjab at the conclusion of enquiry into the said allegation by the candidates. This has materially and seriously prejudiced the petitioner.

8. That about 4000 ballot papers were counted to the credit of the Respondent returned candidate in contravention of Rule 27(2) of the Representation of the People (Conduct of Elections & Election Petitions) Rules 1956, in as much as the above number of ballot papers did not bear the prescribed distinguishing mark.

9. That the Respondent return candidate spent about Rs. 50/- on treating his workers at Bhiwani during period 5th February 1957 to 27th February 1957 which was not disclosed by him in his statement of expenditure.

10. That in case the Respondent returned candidate is not given credit of votes referred to in para 8 above, and to votes secured by him under corrupt practices alleged above, then, and in that case the petitioner is entitled to be declared successful at the election.

Under the Circumstances and on the above grounds it is prayed as under:—

(a) That Shri Ram Krishan's election be declared as void.

(b) That the petitioner be declared returned to the Mohindergarh Parliamentary Constituency 269.

Verification

Petitioner,

I, verify that the facts stated in paras 1 to 10 above are correct according to information received and believed to be correct. Verified by me at Delhi this 20th day of April, 1957.

Petitioner

[No. 82/132/37.]

By Order,
DIN DAYAL Under Secy.